



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,233	03/24/2000	Khai Hee Kwan		3307

23336 7590 01/30/2004

KHAI HEE KWAN
PO BOX 1178
SANDAKAN, SABAH, 90713
MALAYSIA

EXAMINER

GRAHAM, CLEMENT B

ART UNIT	PAPER NUMBER
----------	--------------

3628

DATE MAILED: 01/30/2004

*Re-mailed
for 3/3/04 date*

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/534,233

Applicant(s)

KWAN, KHAI HEE

Examiner

Clement B Graham

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-19 and 24-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-19, 24-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 20.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 15-19 and 24-38, remained.

Claim Rejections - 35 USC § 102

2. Rejection under 35 U.S.C 102(e), Patent Application Publication or Patent to Another with Earlier Filing Date, in view of the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 15-19, 24-35 and 35-38, are rejected under 35 U.S.C. 102(e) as being anticipated by Huberman U.S. Patent No. 5, 826, 244.

As per claims 15, 18-19, Huberman discloses a method for soliciting competitive terms of deposit operating on a deposit auction system, said system including a programmed computer connected to a network accessible by a plurality of users within a first selected period of time and anonymity means for concealing the identities of deposit applicants. ("i. e, customers and suppliers submitting services request and bids to broker" interpretive as concealing the identities" see column 3 lines line 55"), the method executable at said computer comprising:

a) receiving deposit application. ("i. e, request ") from a prospective depositor who is a respective one of the users, wherein said application comprising permissible personal information and money, securities or financial equivalent deposit offer terms as subscribed by the prospective depositor. (see column 3 line 65 and column 4 line 5-15)

b) assigning a handle to conceal to broker a real identity of the said prospective depositor .("i. e, as interpretive" see column 3 line 55") and displaying said depositor's application anonymously.(see column 4 lines 45-65 and column 5 lines 5-30)

c) receiving from at least one deposit-taking institution, who is a respective one of the users communicating over the network, at least a respective one of the responsive bids("i. e, broker")for said deposit application wherein said bid comprises responsive deposit terms, type of guarantees, payment schedule, deposit rate, securities in exchange and terms of exchange.(see column 3 lines 45-65 and column 4 lines 5-65) and (column 19 lines 45-60 and column 20 lines 5-10) and

d) receiving an electronic instruction from the deposit applicant, notifying and authorizing at least one selected deposit-taking institution to access a real identity and personal information of said applicant for a second selected period of time.(see column 5 lines 10-30).

As per claim 16, Huberman discloses further comprising a step of receiving from deposit applicant communicating over the network, an electronic instruction selecting at least one of responsive deposit-taking institutions bided for said depositor's application. (see column 3 lines 45-65 and column 4 lines 5-65) and (column 19 lines 45-60 and column 20 lines 5-10).

As per claim 17, Huberman discloses the method according to claim 15, includes a step of verifying the ownership.("i. e, authentication") of said money, securities or financial equivalent as subscribed by deposit applicant.(see column 1 lines 15-20 and column 3 lines 40-55).

As per claim 24, Huberman discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 15.(see column 20 lines 20-30).

As per claim 25, Huberman discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 16. (see column 20 lines 20-30) and (see column 3 lines 45-65 and column 4 lines 5-65) and (column 19 lines 45-60 and column 20 lines 5-10).

As per claim 26, Huberman discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 17. (see column 20 lines 20-30).

As per claim 27, Huberman discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 18. (see column 20 lines 20-30 and column 1lines 15-20).

As per claim 28, Huberman discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 19. (see column 20 lines 20-30).

As per claim 29, Huberman discloses Computer executable software code stored on a computer readable storage medium implementing the method of claim 15.(see column 1lines 15-20 and column 3 lines 45-55).

As per claim 30, Huberman discloses computer executable software code stored on a computer readable storage medium implementing the method of claim 16. (see

Art Unit: 3628

column 3 lines 45-65 and column 4 lines 5-65) and (column 19 lines 45-60 and column 20 lines 5-10).

As per claim 31, Huberman discloses computer executable software code stored on a computer readable storage medium implementing the method of claim 17. (see column 1 lines 15-20 and column 3 lines 40-55).

As per claim 32, Huberman discloses computer executable software code stored on a computer readable storage medium implementing the method of claim 18. (see column 1 lines 15-20 and column 3 lines 40-55).

As per claim 33, Huberman discloses computer executable software code stored on a computer readable storage medium implementing the method of claim 19. (see column 3 lines 55).

As per claims 34-35, 37-38, Huberman discloses a deposit auction system for soliciting competitive terms of deposit connected to a network, said network comprising at least one client computer and a programmed computer further comprising a database of deposit applications said network accessible by a plurality of users within a first selected period of time. ("i. e, as interpretive see column 3 lines line 55"), comprising:
a) means for receiving a deposit application. ("i. e, request") from a prospective depositor who is a respective one of the users, wherein said application comprising permissible personal information and money, securities or financial equivalent deposit offer terms as subscribed by the prospective depositor. (see column 3 line 65 and column 4 line 5-15)

Art Unit: 3628

b) anonymity means for assigning a handle to conceal a real identity of the said prospective depositor for .("i. e, as interpretive" see column 3 line 55") and displaying said depositor's application anonymously.(see column 4 lines 45-65 and column 5 lines 5-30)

c)means for receiving from at least one deposit-taking institution, who is a respective one of the users communicating over the network, at least a respective one of the responsive bids for said deposit application offer wherein said bid comprises responsive depositing terms (see column 3 line 65 and column 4 line 5-15) type of guarantees, payment schedule, deposit rate, securities in exchange and terms of exchange. (see column 3 lines 45-65 and column 4 lines 5-65) and (column 19 lines 45-60 and column 20 lines 5-10) and

d) means for receiving an electronic instruction from the deposit applicant, notifying and authorizing at least one selected deposit-taking institution to access a real identity and personal information of said applicant for a second selected period of time.(see column 5 lines 10-30).

4. Clam 36, are rejected under 35 U.S.C. 103(a) as being unpatentable over Huberman U.S. Patent No. 5, 826, 244 in view of Brown U.S. Patent No. 6,167, 386.

As per claim 36, Huberman fails to explicitly teach means for verifying the ownership of said money, securities or financial equivalent as subscribed by deposit applicant.

However verifying the ownership and authenticity of a document is old and well known in the art because the document would have had to consist of an identification number name of the owner and date acquired.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Huberman to include verifying the ownership and authenticity of a document because the document would have had to consist of an identification number name of the owner and date acquired.

Conclusion


RESPONSE TO Arguments

5. Applicant's arguments filed on 10/07/2003 are moot in view of the new grounds of rejections.

Any inquiry concerning this communication or earlier communication from the Examiner should be directed to Clement Graham whose telephone number is (703) 305-1874 Or Hyung S. Sough whose telephone number is (703) 308-0505. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. The fax phone number for this Art Unit is (703) 305-0040. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

CG

January 19, 2004.


HYUNG SOUGH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600